

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25297 of 2022

Arising Out of PS. Case No.-1000 Year-2021 Thana- BANKA District- Banka

Chakradhar Mandal Son Of Late Govind Mandal R/O Village- Parariya, P.S.-
Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioner and the learned
APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with
Banka P.S. Case No.1000 of 2021 instituted under Sections
420,467,468,471,120(B) of the Indian Penal Code.

The prosecution case, in short, is that informant filed a
written report before the Station House Officer, Banka Police Station
on 17.12.2021 stating therein that she is the only child/ daughter of
his father and she has no sibling. She alleged that her father Late
Jagan Mandal was brother of Late Govind Mandal, but the sons of
Late Govind Mandal, namely, Chakradhar Mandal, Ganesh Mandal
in collusion with the Ex-Sarpanch of GramKutchari Bahera, prepared
forged genealogy and grabbed the land of the informant. On the basis



of the aforesaid written report, this FIR was lodged.

Learned counsel for the petitioner submits that it is a pure civil dispute and to pressurize the petitioner/family members, the present criminal case has been lodged against him/them. He Further submits that similar situate co-accused namely Ganesh Mandal has since been released on bail vide Cr. Misc. No.14957/2022 on 16.06.2022 which he has brought on record by way of supplementary affidavit. He lastly submits that he is in custody since 10.03.2022 (as stated in para-17 of the bail application).

Taking into account all the aforesaid facts, as also that the similarly situate person has been released on bail, he is in jail since 10.03.2022 and charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Banka P.S. Case No.1000 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the



Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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